GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Commercial Taxes Department – Surprise Check conducted on Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District on 29-12- 2013 – Allegations of Corruption – Initiation of Disciplinary Proceedings against Sri Bayyavarapu Srinivasa Rao, AMVI, Transport Department, Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Article of Charges – Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.691 **Dated:27-08-2020**

Read the following:

1. From DG, ACB, Lr.Rc.No.56.DES-NNL/2013, dated 28.01.2016 & 30.06.2016.
2. G.O.Ms.No.238, Revenue (Vig.II) Department, dt.27-08-2020.

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O R D E R :

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference 2nd read above, it is considered necessary to hold an enquiry against Sri Bayyavarapu Srinivasa Rao, Assistant Motor Vehicle Inspector, Transport Department, Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District under Rule 20 of the said rules.

2. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri Bayyavarapu Srinivasa Rao, Assistant Motor Vehicle Inspector, Transport Department, Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District is directed to submit within ten days of the receipt of this order a written statement of his defense.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Bayyavarapu Srinivasa Rao, Assistant Motor Vehicle Inspector, Transport Department, Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above, further action will be processed based on the material available.

6. Attention of Sri Bayyavarapu Srinivasa Rao, Assistant Motor Vehicle Inspector, Transport Department, Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf

Contd.,2

from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

Sri Bayyavarapu Srinivasa Rao, Assistant Motor Vehicle Inspector, Transport Department, Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District (w.e, Annexures-I to IV) through the Transport, Roads and Buildings (Vigilance.Tr) Department, A.P. Secretariat, Velagapudi. (with a request to serve the order on the individual and send the served copy with dated signature to Government)

Copy to

The Commissioner of Transport, AP, 3rd Flore, NTR Administrative Block, PN Bus Station, Vijayawada.

The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Velagapudi.

The Director General, Anti Corruption Bureau, Pandit Nehru Bus Station, NTR Administration Block, 2nd Floor, Andhra Pradesh, Vijayawada.

The Transport, Roads and Buildings (Vigilance.Tr) Department, A.P. Secretariat, Velagapudi.

SF / SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-I

ARTICLE OF CHARGES FRAMED AGAINST SRI BAYYAVARAPU SRINIVASA RAO, AMVI, TRANSPORT WING, ICP, B.V.PALEM, TADA MANDAL, SPSR NELLORE DISTRICT.

CHARGE:-

That Sri Bayyavarapu Srinivasa Rao, AMVI, Transport Department, ICP, BV Palem, Tada Mandal is native of Piduguralla, Guntur District and he joined in Government Service on AMVI on 4-3-2012 and working as thus at inegrated check post, B.V.Palem, Tada Mandal, Nellore District since 4-6-2012.

Sri Bayyavarapud Srinivasa Rao, while working as AMVI, Transport Department, ICP, BV.Palem, Tada Mandal committed grave misconduct in as much as being a public servant on duty together with One Attender, One Constable and One AMVI have made the crew of the vehicles passing through the check post to pay the amounts voluntarily for ignoring their violations and the usual collection on 29.12.2013 was Rs.15,600/- and also Rs.1,910/- was found in rexine bag which was kept on the parapet wall in the premises of transport wing. Further Rs.3,800/- was found by the side of the parapet wall located on the northern side of the transport wing check post premises.

Thus, Sri Bayyavarapu Srinivasa Rao, AMVI by the above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Govt. Servant and thereby violated Rule 3 (1) (2) of APCS (Conduct) Rules, 1964.

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE - II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVOUR IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST SRI BAYYAVARAPU SRINIVASA RAO, AMVI, TRANSPORT WING, ICP, B.V.PALEM, TADA MANDAL, SPSR NELLORE DISTRICT

That Sri Bayyavarapu Srinivasa Rao, AMVI, Transport Wing, ICP, B.V.Palem, Tada Mandal is native of Piduguralla, Guntur District and he joined in Government Service on AMVI on 04.03.2012 and working as thus at Integrated Check Post, B.V.Palem, Tada Mandal, Nellore District since 04.06.2012. His date of birth is on 12.05.1966 and date of retirement on attaining the age of superannuation is 31.05.2026. He is here-in-after referred to as Government Servant.

On credible information that the officers and staff of Integrated Check Post, B.V.Palem, Tada Mandal SPSR Nellore District are indulging in corrupt practices and collecting mamools from the crew of vehicles plying through ICP, B.V.Palem, a surprise check was conducted over transport wing, prohibition and excise wing, commercial taxes incoming and outgoing wings of ICP, B.V.Palem on 29-12-2013 from 00-30 hrs to 03-00 hrs with four teams headed by the DSP, ACB Nellore Range, Nellore in the presence of mediators.

During the course of Surprise Check, an amount of Rs.1,910/- was found in the rexine bag in the premises of transport wing and also an amount of Rs.3,800/- was found on the ground by the side of parapet wall located on the northern side of transport wing check post and total amount of Rs.5,710/- was seized by the DSP and none of them of the transport officials failed to give explanation.

Sri B.Bhaskara Rao, AMVI, B.Srinivasa Rao, AMVI, V.Venkatesaarlu Constable and Sri N.Subramanyam, Attender officials of the transport wing collecting mamools, ranging from 50/- to 1000/- from the crew of the vehicles and usual practice for granting the violation of M.V.Act rules and other acts and an amount of Rs.15,600/- was seized by the DSP, ACB.

Thus an unaccounted amount of Rs.21,310/- (5710+15600) was seized in the premises of transport wing and Attendance registers/duty registers and personal cash registers and other relevant documents of ICP were seized. Individual cash register, duty charts of AMVI's and Constables/Attenders were seized.

Thus the Government Servant by his above-mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rule 3 (1) (2) of APCS (Conduct) Rules, 1964.

Thus the Government Servant has therefore rendered himself liable for departmental action for major penalty for his misconduct.

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH ARTICLES OF CHARGES FRAMED AGAINST SRI BAYYAVARAPU SRINIVASA RAO, AMVI, TRANSPORT WING, ICP, B.V.PALEM, TADA MANDAL, SPSR NELLORE DISTRICT.

1. Duty Register(Attendance register) of ICP, B.V.Palem:
2. Individual cash Register & Duty Chart.
3. Personal Cash Register, 2013.
4. The Rubber stamp and ink pad relating to transport wing.
5. Rough sketch of scene of offence, Dt: 29.12.2013.
6. Mediators report drafted on 29.12.2013 for the surprise check conducted over the ICP, B.V. Palem, Tada Mandal, SPSR Nellore Dist.

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

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SECTION OFFICER

ANNEXURE - IV

LIST OF WITNESSES BY WHOM ARTICLES OF CHARGES FRAMED AGAINST SRI BAYYAVARAPU SRINIVASA RAO, AMVI, TRANSPORT WING, ICP, B.V.PALEM, TADA MANDAL, SPSR NELLORE DISTRICT.

1. Sri Mathi Lakshmi Kanth S/o Siva Prasad, Age: 30 years, S.N. Palem, Bapulapalem Mandal, Krishna District., A.P. Eicher Vehicle No.AP 16 TD 4869.
2. Sri Nakka Nagaraju S/o Naga Bhadrachalam, Age: 24 Years, Devaragunta Village, Nuziveedu Mandal, Krishna District, A.P., Vehicle No. TN 05 AL 2183 (16 tyres trolley).
3. Sri Bollepalli Purnachand, S/o Venkaiah, Age: 36 Years, Deputy Executive Engineer, Irrigation & CAD Department, SE Construction Circle, Ongole, Prakasam District (Mediator-1)
4. Sri.J.Bhaskara Rao, Dy.Supdt. of Police, ACB, Nellore.

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER